



**SPECIAL COMMON COUNCIL MEETING  
MARCH 3, 2011  
7:00 P.M.**

**Regular Meeting** The Special meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Thursday, March 3, 2011 at 7 p.m.

**Present** Deputy Mayor Joseph E. Bibisi, Council Members: Thomas J. Serra, Ronald P. Klattenberg, Philip J. Pessina, Gerald E. Daley, Robert P. Santangelo, Hope P. Kasper Grady L. Faulkner, Jr. Deborah A. Kleckowski, David Bauer, and Daniel T. Drew; Sergeant-at-arms Acting Chief of Police Patrick McMahon; and Common Council Clerk Marie O. Norwood.

**Absent** Councilman James B. Streeto and Corporation Counsel William Howard.

**Also Present** Mayor Sebastian N. Giuliano, Personnel Director Debra Milardo, Acting City Attorney Timothy Lynch, and Finance Director Carl Erlacher, and four members of the public.

**Meeting Called to Order** The Acting Chair calls the meeting to order at 7:04 p.m. and asks Councilman Klattenberg to lead the public in the Pledge of Allegiance.

**Call of Meeting Read** The Call of the meeting is read and accepted. The Deputy Mayor declares this call a legal call and the meeting a legal meeting.

**Workshop Opens** The Acting Chair opens the workshop at 7:05 p.m.

The Chair asks if there are questions for the Personnel Director. Councilman Serra asks before we do that can the Personnel Director give an overview of the contract. Ms Milardo states you have the financials from Carl Erlacher and any questions on finances should be directed to him. She provided highlights of changes to the contract; the major point in terms of summary is the cost savings. I have been with the City for 14 years and this was probably the most difficult contact talks she participated in. The previous contract was 6 years; it was five years in duration and reopened for wages for one year. It is an old contract. They looked at health care benefits. That piece was the most difficult to negotiate in terms of the contract. The economy paid a major factor in wages. Middletown has given a fair wage in contracts and normally gives CPI and this time they could not do it. The contract before you, at least doubles and in many places quadruples the employees burden on health care costs. They always had two plans, HMO and point of service.

**Noted for the Record** Councilwoman Kleckowski takes her seat at 7:09 p.m.

For an out-of-network, it was a significant sum and this new contract is down to one plan design that will save the City administrative costs. Those employees in the old HMO plan and paid \$5 for office visits will now pay \$20; prescription drugs went from -0- to \$25 payment for drugs. It is a significant cost and jump to the employees and she gives them credit for recognizing the difficulties of the City and as difficult as the contract got, they maintained the sense of the best interest of the taxpayer. It was heading to arbitration and they went into mediation and it was the last day that they reached agreement. One point of clarification, because it has caused a great deal of confusion, because the old contract was 6 years old, the classification scales were not modified and through the course of this contract and Labor Management and jobs were evaluated and upgraded and when they put the contract together, they incorporated those changes. Through Labor Management, the committee acknowledged and agreed for a tiered system need to be applied to Middletown High School. It is for the work they do at the high school, the exact pay rate was applied as to the elementary schools and when they toured the high school, there is no incentive for them to stay at the high school. They are trained and hired and when an elementary school opening occurs, they leave. This tiers the high school and acknowledges the amount of work they do at the high school. It was approved at Labor Management. The same is for the tax clerks. The upgrade was warranted. The classification list has changed, but that is from six years of work and jobs that were approved through the Council. It looks like we changed a lot during negotiations regarding salary changes; that is not true.

Councilwoman Kasper states the regular part time employee who works 8 or more hours, they are now part of the bargaining group. Ms Milardo says yes. Councilwoman Kasper asks if that is all benefits including medical. Ms Milardo states no; if you look at the changes in the medical, the contract specifies for 20 hours or more. Anyone hired from 19-1/2 down receives no benefits. Councilwoman Kasper asks that was in the past. Ms Milardo responds yes. Councilwoman Kasper states 8 hours is for . . . Ms Milardo responds recognition in the bargaining unit. Councilwoman Kasper asks for 8 a.m. to 5 p.m., is it 8 hours. Ms Milardo states it is so they can have a range. Councilwoman Kasper states the language is not clear; it looks like a 35 hour week is now 40 with an hour for lunch. She states page 6. Ms Milardo states the only change was to expand the hours of work in multiple buildings and it is the same language. The implied intent is 35 hours. Councilwoman Kasper states she would like that clarified that they can work their hours between 8 and 5 p.m. Ms Milardo states she can clarify it, if need be. She says the Board of Education may have different hours and it is a seven hour period. Councilwoman Kasper states the other question is regarding the health benefit on retirement. When it was described, it was medical and dental and that was taken out and the dental was not shown there and she did speak with the Deputy Director and she did tell me that dental is included in retirement and that needs clarification. Ms Milardo states the agreement reads retirees rolls with actives and if they have it, then retirees have it. It will cover the employee, the spouse and children and now we have retirees rolling with actives, whatever actives have, that is what retirees will have. Councilwoman Kasper states she wanted clarification. Ms Milardo responds if you look at the plan design, it is there.

Councilman Drew asks on page 6, Article 5 Section 4A, it was struck from the contract; he wasn't able to find where that is delineated how the hours are scheduled. Ms Milardo states there are standard work hours for the schools and administration and those hours will remain in effect. Hours and conditions are subject to collective bargaining. We don't list in the contracts that City hall works 8:43 to 4:30; the hours at the Board of Education will continue. If the Board of Education decided that kids come to school at night, that is a change in working conditions and is mandatory subject to collective bargaining. What they have will continue in the future. Councilman Drew asks if it is struck from the contract and in light of recent lawsuits, could this potentially open the door to possible conflicts on who schedules them and when they work and subject to future litigation. Ms Milardo responds she will decline discussion of subjects that have litigation in it. Councilman Drew asks if this leads to one person saying when they work and it is in conflict with the Board of Education. Ms Milardo states if Public Works decides they want to change hours of operation of City yard, 7:30 to 3:30 and he wanted them to work 5 a.m. to 2 p.m., the City is the employer and negotiator and the department head would bring it to the Mayor and then sit down with the Union and negotiate impact. In terms of labor law, any change in working conditions is subject to mandatory negotiation. We are the entity that negotiates all changes to these bargaining unions. The Unions only recognize the City; the teachers recognize the Board of Education and not the City.

Councilman Bauer asks if Ms Milardo could provide a list of all the job descriptions that were changed by the Council that are reflected here. Could you provide that list that are changed in this contract that are not voted by this contract. Ms Milardo states no job changes, only salary grades. Councilman Bauer asks if she could provide that list. Ms Milardo responds yes.

Councilman Faulkner asks what class or grade changes were made that didn't come to the Council and get an idea of the cost of those changes as well. Ms Milardo responds the Finance Director can tell you that better than she and he gave you a detailed cost savings for this contract. In terms of job descriptions, there were no changes and they would be part of what you are voting on and there are only salary changes. There are a total of three classifications, tax clerks office, cash manager, and the landfill gate attendant. Ms Milardo states the Finance Director was the lead negotiator for the contract. The Board was focused on the Middletown High School for the expansion and tiering of custodians and caf  workers. Councilman Faulkner states for the ones changing, they all went through Labor Management. Does it challenge the level of work versus the level of pay in those positions and comes up with the idea they are out of line. Ms Milardo responds yes; when the Council adopted Maximus, that resulted in Labor Management committees and they meet once or twice a year to review employee requests for upgrades and there are criteria they have to meet and one explanation we have given to employees is more work does not mean more money. That is one of the reasons both committees actually toured Middletown High School; it was so we could see hands on the changes that the size of that facility

created on the workforce. If you have not gone there during a lunch wave, it literally has turned into a restaurant. They have more equipment with little staff. There was a layoff at the high school. That caused a concern that we hired them and trained them and the work volume is so much higher than any other school, there is no incentive for them to stay at that facility. We looked at tiers because of that. There is tier one and two for custodians and caf  staff. We saw it during a school day. Councilman Faulkner asks if the Council saw the Labor Management write-up. Ms Milardo responds when changes have been brought forward, you do see all the data. You have in the past gotten the full changes. Councilman Faulkner states when it goes through Labor Management, does it go through the Personnel Review Committee as well. Ms Milardo responds yes it does; they are a pass through. The contract requires the Council votes on the decisions of the Personnel Review Commission. Councilman Faulkner wants to find out why some were delayed and that is why they are coming through the contract. Ms Milardo responds it was determined during contract negotiations, that when they deferred last year's negotiations, they were not going to hear Labor Management. The decisions Labor Management heard, parties agreed it would be brought up under this contract and that is what they did. They hear up to ten appeals for Local 466. You are seeing a total of four. Other employees have brought appeals forward, but were not successful to be part of the negotiations. Councilman Faulkner states there is a no layoff for one year, but he also notices that language for furloughs is out. Will that not be an option. Ms Milardo responds the language in there for furloughs did no justice for City of Middletown and it was in five day blocks and if you do that, you pay unemployment. The parties agreed if furloughs will be discussed, the City and Union would meet and discuss them separate and distinct. The old language did not help us; it hurt us. Councilman Faulkner states it is still an option because we don't know what the picture holds with this economy. It will be negotiated at the time. Ms Milardo replies yes; just like the State does with their Unions. They bring them in and discuss them. It was negotiated.

Councilman Daley states on p 44, it talks about retirement incentive for employees who separate and notify the City in 30 days and they will have a pension multiplier of 2.5%. What is the impact on the future of the pension plan; was it looked at. Ms Milardo states the retired health benefit, because we are capping at 25%, that is what they currently enjoy now and the goal is they tried a few incentive plans; there are about 50 employees who qualify and they are looking at attrition and we should look long and hard at filling those positions and that will help us in the next budget cycle. Carl Erlacher, Finance Director, states they talked to the actuary and currently our employees are fully funded and 50 would qualify and the City would not have to contribute. Councilman Daley asks what the multiplier is now. Mr. Erlacher responds 2.25%. Councilman Daley states a person with 20 years of service and retires gets 45% of their income and then they would get 50%; Mr. Erlacher states an average salary of \$50,000, it is \$2,500 pension difference. If you multiply by 25 employees, it is not much. Councilman Daley states if they don't notify the City 30 days before, it remains at 2.25%. Mr. Erlacher responds, yes and the retirees roll with actives for health benefits and it was 9% and the employee will go to 13% and spouse to 25% or blended rate of 17%. Councilman Daley thanks Mr. Erlacher and Ms Milardo for the information that was provided to them. It gave us a good understanding of the agreement and impact for the City and from my perspective and an overall basis of understanding collective bargaining. He thanks the City and Union for coming up with an agreement that reflects well on the long term interests of the City and preserves employment for the bargaining unit and the long term financial impact on the City and the changes to the retiree health benefits is an accomplishment.

Councilman Pessina asks the Personnel Director in the same lines that Councilman Daley spoke to, this contract appears to be fair and equitable and has major concessions from Local 466 and they did step up to the plate but this is a benefit to the City as well as the benefit to the employees can I say that. Ms Milardo responds yes you can. Councilman Pessina states he spent time at the high school and sees the work of caf  workers, custodians and security; with the security employees, they came in and they did not have a contract initially. Ms Milardo states the classification was hired in after the agreement, but the City is the entity that designated the Union and they are under Local 466. Councilman Pessina asks if they enjoyed that benefit. Ms Milardo responds the intent was that they should be receiving the benefits. Councilman Pessina states this formalizes it; it is not new. Ms Milardo states that is correct. Councilman Pessina states looking at the two tier system for caf  workers and knowing what they deal with, the technology is phenomenal and I see your point that there needs to be differentiation as opposed to the grammar schools. They deal with much less children and they don't have the equipment and technology of the high school. Ms Milardo states if you go through the caf , doing three waves, they are serving

by order; they have set sandwiches and salads and then they are cooking to order. It is a bistro style cafeteria. They are cooking to order for over 1,000 students as well as staff. That is volume. Councilman Pessina states it is preparatory before going to universities. Ms Milardo states yes. We are operating at the high school like what you would see at a university. Councilman Pessina states they work hard keeping the building safe, secure and preparing the meals and I agree with that. He thanks you and Carl, as lead negotiator and the negotiating team and the Local 466 employees. He was worried about this and he knows what it is when concessions are asked for. They stood up to the plate and he will support this contract.

Councilman Serra asks if the ratification of the contract is in question; he was made aware of confusion of the vote. Ms Milardo responds it is a topic that needs to be discussed in executive session. She states the Union has ratified it. Councilman Serra states there was confusion over the ratification. Ms Milardo responds it was ratified. Councilman Serra states he saw an e-mail from 30 days from the tentative agreement and he thought it was ratification. Ms Milardo replies we have 14 days until it is committed to a written agreement and from that date you have 30 days and the Union has 30 days. Councilman Serra states not from ratification. Ms Milardo responds no it is from when an agreement was committed to writing and agreed upon. Councilman Serra states the upgrades and they went through Labor Study and the Personnel Review Committee and how many were there. Ms Milardo asks in this contract and Councilman Serra responds yes. Ms Milardo states the custodians and cafeteria workers at the high school, cash manager here, tax clerks, and landfill operator. She states Finance, Personnel, Legal and the Mayor's Office have always been 40 hour offices; it has been 35, paid 40. Councilman Serra asks the contention is more responsibility. Ms Milardo states she would rather have Director Erlacher talk about his office and never once did we ever fail to meet our financial needs of the payroll and using overtime. If you look at departments, Legal, Mayor, Personnel, and Finance that have always maintained a 40 hour pay scale and three positions in Finance that were different and this contract corrects that. Ms Milardo states the cash manager went through Labor Management for upgrade. Councilman Serra asks about flex time and it is red lined; on page 6 you have the 8-5 and on p. 8 you have flex time. Ms Milardo states that is part of the reason. We have had flex time for MMPA through two contracts and we have had don't look don't tell with AFSCME and that has worked well and it usually is the summer months dealing with child care issues. It sets the rules now and allows the Department Head decides whether or not flex time can work. Councilman Serra asks about the 8 hours for a regular part time employee and that benefits are what. Ms Milardo states you have to have 20 hours per week to be eligible for benefits; you have to work 20 hours per week in a ten month capacity for schools and the City, 12 months. Councilman Serra asks why the 8 hours. Ms Milardo responds she will respond in executive session. Councilman Serra states on page 16, letter (d) and as a former educator this would be difficult for me to take care of business, during the school year for someone to take a long vacation, it would be difficult and this is new and is there a reason for this. Ms Milardo responds there were some concerns in terms of consistency of what positions could take vacation and what positions were prohibited and we clarified that. Labor and management knows the expectations. If you look p. 17, Sec. 3, employees have to submit vacation plans by date specific and it can be denied based on operating needs of the department. Management has the ability to deny vacation. The Finance Department should not be on vacation the last week of June and first week of July and that is not optimum time for them to be on vacation. This still gives management determination to look at vacation requests to see if they are conducive to operations. Councilman Serra states you don't have the Board of Education being able to determine hours of work. Ms Milardo states anyone who doesn't apply for vacation during the window, the request can be denied as well as if the week or two will place an undue burden on their operation. Councilman Serra asks to address questions to Carl Erlacher, Finance Director. He asks over the course of the contract, the actual dollar value over the five year contract; the savings and good faith effort by Local 466. Mr. Erlacher states it is a four year agreement and the spreadsheet states it is cost of \$39,000 over four years, not including everything in the memo. He can't put a cost on those at this time; it is additional savings. The GASB liability is a \$4.2 million reduction and can't be quantified in operation budgets year after year. Councilman Serra states because you lowered it; Mr. Erlacher responds it is a drop in the bucket. He states any individual that retires will now pay an extra 8% for retiree health and that is savings; we have put in place for current members retiring at 46, they will pay 50% of health care. I can't tell you the savings. Councilman Serra states if you go through the exercise of the 25, would you be able to give him a ballpark figure. Mr. Erlacher states if the premium is \$2,500, it would be a \$1,600 difference for the rest of his life. Councilman Serra states and the co-pay. He states the sacrifices by this Union, he would like to know the dollar

savings and that there are employees that do care. Mr. Erlacher replies he can calculate that when he knows how many will retire. He discusses new employees under this contract, they would be paying 80% of benefits if they retire at 46. He states he will give an actual amount once he knows how many people retire. Councilman Serra states for the public, make them aware of what they have taken for the percentage of raises. Mr. Erlacher states -0- for this year; 1% for the first. They took 6.25% over four years. Councilman Serra asks if it is CPI; Mr. Erlacher responds it is below.

Councilman Klattenberg states the comments of long term savings is significant. The real savings is in the retirement incentive and whether or not some number between 0 and 50 are going to take the opportunity. It would be helpful to provide two things: without naming names, which departments would the 50 possible retirements come from. It would be helpful for the public to understand that the savings are through the retirement. Mr. Erlacher states you know how we feel about the pension system; it is a growing liability and our retiree help will be a huge problem and we did a lot in this contract to limit it for the taxpayers. Councilman Klattenberg states he understands what you have gone through with the Unions. The Unions did cooperate with you and it is a job well done.

Councilman Daley states he understands there is a value coming up with numbers for the larger picture, but he understands there is difficulty because of the intangible savings being proposed. Wouldn't it be true these steps will reduce the GASB liability and will be looked at favorably by the rating agencies. Mr. Erlacher replies yes. Councilman Daley states it could reduce debt service costs; from his perspective many members of the bargaining unit are being impacted and it is a bitter pill, but if viewed in the larger picture, the impact on the City over many years, this has enormous positive impact. In terms of how many different levels public employees wages and benefits are considered unsustainable but this contract takes a great step forward particularly the benefits makes it sustainable. Mr. Erlacher states yes; we are laying the ground work to reduce GASB in the future. Councilman Daley states Middletown, going out to the bond market and GASB has been reduced by 60-70 percent and other municipalities have not addressed it, our credit worthiness will be viewed differently. Mr. Erlacher responds yes, just as our fully funded pension plan is viewed today.

Councilwoman Kleckowski asks for the Personnel Director; she congratulates Ms Milardo on the negotiations. Ms Milardo states two other points for future savings; one of the other issues is the unlimited accumulation of vacation time. They can accumulate any number and at the time of retirement, that full payment has to be made to the employee. We have been running out vacation time and we could not back fill positions. Teamsters is 8 weeks and now Local 466 is capped at eight weeks. The other aspect is the just cause provision. We have it with Teamsters and the Fire unit and if an employee is terminated for a criminal charge, the City can seek termination of benefits for pension and health benefits. If an individual commits an act of fraud against us the employer, it means this contract will allow an arbitrator look at the loss of benefits. It is an area that speaks to the public trust. That is a huge concession by any Union. Councilwoman Kleckowski asks if it can be prorated; Ms Milardo responds if we terminate an employee with a criminal charge against us and they are arrested, we will seek full loss of benefits of medical and pension. This harms the family; the employee should be thinking of the family more than the employer. Councilwoman Kleckowski asks on page 45, Sec. 6, and she reads the section. How would you know that and if you do learn and that piece of the contract is not followed is there a consequence. Ms Milardo responds it is in all contracts; they don't know. Most employees working here, live here and we are a close knit community and word of mouth works to our advantage. It is difficult to track and we do have the language there and on a couple of issues the Risk Manager has investigated.

Councilwoman Kleckowski states people who are hired over the age of 50 and has it been discussed to give them years so they would retire. Ms Milardo responds they did it; two years ago they did two years of service and age and had very few retirements. When we looked at the assumptions with this incentive, it grew to 50 and when we looked at losing 24 or 25 through attrition and if the Council doesn't back fill you can see savings between \$500,000 and \$1 million dollars. Councilwoman Kleckowski states when the economy shifts, the education package should be looked at. She states \$400 is not enough and you should look at the cost of books. She asks if Ms Milardo could you explain p. 8 Sec. 16g, regarding employee working 15 hours regarding cafeteria workers and discussing employees working 35 hours and getting paid 40. Ms Milardo states could you give me the page again. Councilwoman Kleckowski discusses caf worker calling in and getting paid an hour. Some are getting paid five additional hours for non-

work. Ms Milardo states not caf managers. You are looking at a group in the bargaining unit making under \$30,000; they do not work full time and are off in the summer. When you see this, it is at the bigger schools when you have 4 -5 people calling out and the caf manager picks up the phone to get subs. If an employee is called in, they are entitled to 2 hours and the caf manager has never had anything and they are being asked to perform work while they are at home and one hour is nominal. Even with the title caf managers, they are not at the same level as Director in the City. With the service group it is different. You will find this in any service group in the State. Councilwoman Kleckowski states she has trouble with people not working the full hours. Councilwoman Kleckowski asks about stipends. Ms Milardo states if there were Building Superintendents that worked evenings so you would not need a group leader and no need for a stipend, but at some time someone needs to be in charge and it was done by the Board of Education to be able to predominately address Middletown High School, Woodrow Wilson Middletown School, and Kiegwin where supers only work during the day. It is done by seniority who is the group leader and they are doing problem solving and they are working in a higher classification. Councilwoman Kleckowski asks why a stipend; Ms Milardo states it is more cost effect. Councilwoman Kleckowski wonders why they don't grieve it. Ms Milardo responds it is for the Board of Education to run their operations at schools; to buy a building custodian to work the evening hours is much greater than paying a stipend.

Councilman Faulkner asks on page 6, there are two things about the Board of Education clerical employees; they don't make the hours for people there. Ms Milardo states we can go into detail but it needs to be discussed in executive session. Any changes made in the future needs to be negotiated with the Union. We have not changed anything. Councilman Faulkner states on page 14 regarding police and fire volunteers; is that new. Ms Milardo replies it is new and an old theory that has been revisited. The police have worked in the dispatch center during high volume vacation periods where dispatchers can only work so many hours and then come off rotation. If we are down staff it creates problems and when it occurs we use police. They hope to be fully staffed next month. This will allow an option to go out to fire and police and only a limited number have expressed interest to do dispatch. Fire has declined this. The bargaining unit opens the work to two others that are qualified to do the work. It is volunteer and if they opt not to work, the burden falls on the dispatchers to work extreme hours.

Councilman Faulkner asks for the Finance Director and thanks him for the spreadsheet. How solid is the savings side; are most of it driven by contribution or savings. Mr. Erlacher states our insurance consultant does the numbers. We consulted with them and they based it on the prices and co-pays and office visits based on average visits and they calculated the numbers. Councilman Faulkner asks if it is employee contribution. Mr. Erlacher responds that is what the benefit package will cost and now the employee will pay more of the entire package. Councilman Faulkner asks if on drug side, it is the same. Mr. Erlacher states it is based on the employee paying more. We use the insurance consultant to get those savings numbers. Councilman Faulkner states he is trying to decipher real numbers. Mr. Erlacher responds they are real; they are in the budget. Councilman Faulkner asks out of network changes. Mr. Erlacher states it is combining two plans into one with administrative savings. Councilman Faulkner states that can change. Mr. Erlacher responds yes; it changes every contract. Councilman Faulkner asks if there is a significant out of network. Mr. Erlacher responds no.

Councilman Bauer asks on the impacts and the employee making from 9% to 13% contribution and it still is the taxpayer paying 91% - 87%. He states on the impact, do you have some sense or the health insurance consultant of what the increases would be. We are discussing the savings and wants the taxpayer not be surprised on the rising costs of the premium. Mr. Erlacher states they have been but with proper plan changes, the benefit line, you will not see a dramatic increase on the City side. He informed the Board of Education to take off \$1.5million from their budget. The budget going to the Council should show a close to flat benefit line item. Councilman Bauer states this contract goes to 2014. Mr. Erlacher responds no; that is for this year. Councilman Bauer states the contract is to 2014 and can we get a handle on those costs. Mr. Erlacher replies no; it changes every year. Councilman Bauer states we are committing to something without a firm cost. Mr. Erlacher states it is based on the claims and it is based on what happens this year. We have had some favorable claims this year and kept the costs down. Councilman Bauer states there is usually a schedule of the pay grades where they spell it out; do we have one. He is not sure if he received it. Mr. Erlacher states he has not created it and won't until it is finalized. Councilman Bauer asks on Article 3, regarding management and he has expressed interest year after year, annual regular performance reviews is an

irreplaceable management tool; does the contract allow it. Mr. Erlacher responds it does not.

Councilwoman Kleckowski asks to address further questions to Director Milardo. She asks about flex time and was there discussion on keeping City hall open beyond 4:30. Ms Milardo responds there has been consideration over the last 14 years. Councilwoman Kleckowski asks if it can be considered next year; Ms Milardo states it is not in this contract. She states they have floated out summer hours, if we could manage to do 35 hours in four days; the employees were not opposed to looking at it; there was some concern how the public looked at it that we are closed on Fridays or Mondays even though we would have been open until 7 at night. That needs to be discussed with the community. Many smaller municipalities are on a 4 day work week. It was discussed as a \$10,000 savings. It would be up to you to discuss with the public. Councilwoman Kleckowski states it could be half days. Ms Milardo states it would be City hall; the Public Works Director would not want his employees only working 4 days; he would want them for 5 days. General citizens may like the opportunity to do business earlier or when they get out from work.

Councilman Serra states with the flex time you could possibly have a 4-1/2 day work week. Ms Milardo responds yes. It will open the door but there are community concerns and you need to engage the public to see what they would find beneficial for service. Councilman Pessina states to the point raised, technology, the more the public can do on line and get work done here it would preclude them from physically coming here. We stressed this to the IT director. It is about service and providing that service.

The Acting Chair states there are no further questions and asks if there is a motion to adjourn.

**Agenda Item** 4-1

Councilman Serra moves for approval the resolution calling for an executive session; his motion is seconded by Councilman Klattenberg. The Acting Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Acting Chair declares the matter approved.

**Resolution No.**  
**File Name**  
**Description**  
  
**(Approved)**

**26-11**  
**ccexecsess3-3-11boevmayor.doc**  
**Approving holding an executive session upon approval of this resolution.**

**Be it Resolved by the Common Council of the City of Middletown:** That it hold an executive session immediately following the passage of this resolution for the purposes of discussing strategy and negotiations with respect to pending litigation entitled Board of Education v. Mayor of the City of Middletown pursuant to Section 1-200 (6) (b), 1-210 (b) (4) and 1-225 of the Connecticut General Statutes, as amended.

**Executive Session**

The Acting Chair calls for the executive session and asks only the invited individuals, Mayor, Personnel Director, Acting City Attorney, and Finance Director to remain and everyone else to vacate the Chamber. He declares the executive session at 8:38 p.m.

**Executive Session Closes**

Councilman Serra moves to return to public session and his motion is seconded by Councilman Bauer. The vote is unanimous and the meeting returns to public session at 8:59 p.m.

**Motion to Adjourn**

The Acting Chair asks if there are any other questions. Seeing no response, he asks for a motion to adjourn. Councilman Serra moves to adjourn and his motion is seconded by Councilman Bauer. There is no discussion and the vote is called. It is unanimous to adjourn and the Acting Chair declares the meeting adjourned at 9 p.m.

ATTEST:

MARIE O. NORWOOD  
Common Council Clerk